

B O I E S , S C H I L L E R & F L E X N E R L L P

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October 12, 2011

The Honorable William Alsup
U.S. District Court, Northern District of California
450 Golden Gate Avenue
Courtroom 9, 19th Floor
San Francisco, California 94102

Re: Oracle America, Inc. v. Google Inc., No. C 10-3561 WHA

Dear Judge Alsup:

We have reviewed the opposition précis submitted by Google on October 12, 2011 (Dkt. 519). We write to correct three errors in Oracle's précis dated October 10, 2011 (Dkt. 511), on which Google focuses. First, Google did produce documents for Mr. Bray in discovery, although Mr. Bray was never included in any initial disclosures by name. Second, Google disclosed Mr. Rizzo in its First Amended Rule 26 Disclosures in July, rather than in August, as we had erroneously concluded. Third, Google did produce the thirty-three license agreements late in discovery, but cited versions of the agreements bearing no document production numbers in its expert disclosures. Oracle regrets these errors and asks that the Court consider the précis solely on the basis of the corrected statements and Oracle's other arguments.

Respectfully submitted,

/s/ Steven C. Holtzman